

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,

Austin, Texas, February 20, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 364, "An Act to change the territory included in the Batson Independent School District in Hardin county, and for other purposes,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,

Austin, Texas, February 20, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 147, "An Act to amend Article 3883, Revised Civil Statutes of Texas, fixing fees allowed officers in counties having a population of 37,000 inhabitants, or containing cities of 25,000, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,

Austin, Texas, February 20, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 107, "An Act to amend Section 2, Chapter 23, Acts of the Second Called Session of the Thirty-sixth Legislature, fixing a maximum portion of the thirty-five cent ad valorem school tax to be used for purchase and distribution of free textbooks, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

### THIRTY-SECOND DAY.

(Continued.)

(Monday, February 23, 1925.)

The House met at 10 o'clock a. m. and was called to order by the Speaker.

### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read

severally first time, and referred to the appropriate committees, as follows:

By Mr. Fields and Mr. Powell:

H. B. No. 538, A bill to be entitled "An Act to amend Section 1, Chapter 36, Acts of the Regular Session of the Thirty-second Legislature, so as to change the conditions of admission to the Confederate Woman's Home, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Downs:

H. B. No. 539, A bill to be entitled "An Act requiring reports to be made showing the moneys used in traveling by State boards, commissions and heads of departments, or by the officers, agents or employes thereof, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Fields and Mr. Powell:

H. B. No. 540, A bill to be entitled "An Act to amend Article 208 of the Revised Statutes of 1911, so as to change the requirements for an application for admission to the Confederate Home, and declaring an emergency."

Referred to Committee on State Affairs.

### SENATE BILLS ON FIRST READING.

The following Senate bills and resolutions, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate joint resolution No. 7, to the Committee on Constitutional Amendments.

Senate bill No. 310, to the Judiciary Committee.

Senate bill No. 262, to the Committee on Education.

Senate bill No. 234, to the Judiciary Committee.

Senate bill No. 209, to the Committee on Judicial Districts.

Senate bill No. 207, to the Committee on Public Health.

Senate joint resolution No. 15, to the Committee on Constitutional Amendments.

Senate bill No. 214, to the Committee on Appropriations.

Senate bill No. 164, to the Judiciary Committee.

Senate bill No. 148, to the Committee on Highways and Motor Traffic.

Senate bill No. 238, to the Judiciary Committee.

Senate bill No. 236, to the Committee on Appropriations.

Senate bill No. 215, to the Committee on School Districts.

#### MEMBER EXCUSED.

On motion of Mr. Bean, Mr. Farrar was excused for today on account of sickness.

#### HOUSE BILL NO. 458 ON ENGROSSMENT.

The Speaker laid before the House as pending business, on its passage to engrossment,

H. B. No. 458, A bill to be entitled "An Act making appropriations for the support and maintenance of the State government for the two-year period beginning September 1, 1925, and ending August 31, 1927, and for other purposes, and prescribing certain regulations and instructions thereto, and declaring an emergency,"

The bill having heretofore been read second time, with amendment by Mr. Farrar to the section of the bill relating to the Adjutant General's Department, and motion by Mr. Jacks to table the amendment, pending.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

#### Yeas—51.

Acker.	Kemble.
Amsler.	Lane of Harrison.
Baker of Orange.	Lipscomb.
Bird.	Loftin.
Blount.	Low.
Boggs.	McBride.
Chitwood.	McDonald.
Conway.	McDougald.
Coody.	McFarlane.
Cox of Lamar.	McGill.
Cox of Navarro.	Nicholson.
Daniels.	Parish.
Dielmann.	Petsch.
Dinkle.	Robinson.
Dunlap.	Rogers.
Dunn of Falls.	Rowell.
Florence.	Rowland.
Foster.	Shearer.
Gray.	Simpson.
Hagaman.	Smyth.
Hall.	Sparks.
Harper.	Strong.
Hoskins.	Wallace.
Jacks.	Wells.
Jasper.	Woodruff.
Justice.	Young.

#### Nays—57.

Albritton.	Hollowell.
Alexander	Johnson.
of Bastrop.	King.
Alexander	Kinnear.
of Limestone.	Kittrell.
Atkinson.	Laird.
Avis.	Lane of Hamilton.
Baker of Panola.	Mankin.
Barker.	Maxwell.
Bartlett.	McKean.
Bateman.	Merritt.
Bean.	Moore.
Bedford.	Pavlica.
Bryant.	Pearce.
Carter.	Perdue.
Coffey.	Poage.
Covey.	Pope.
Cummings.	Powell.
Dale.	Raymer.
Davis of Dallas.	Renfro.
Davis of Wood.	Rice.
DeBerry.	Runge.
Donnell.	Simmons.
Dunn of Hopkins.	Stautzenberger.
Durham.	Stell.
Enderby.	Stout.
Fields.	Tomme.
Finlay.	Veatch.
Graves.	Westbrook.
High.	Wester.

#### Present—Not Voting.

#### Downs.

#### Absent.

Barron.	Pool.
Bobbitt.	Purl.
Bonham.	Rawlins.
Brown.	Sanford.
Cade.	Sheats.
Farrar.	Sinks.
Faulk.	Smith of Nueces.
Frnka.	Smith of Travis.
Harman.	Stevens.
Houston.	Stevenson.
Hull.	Storey.
Irwin.	Taylor.
Jones.	Teer.
Jordan.	Thompson.
Kayton.	Wade.
Kenyon.	Walker.
Masterson.	Webb.
McNatt.	Williamson.
Montgomery.	Wilson.

Mr. Raymer offered the following amendment to the amendment:

"Provided, however, that none of the funds appropriated in this item shall be used for the maintenance of a division headquarters, separate and apart from the Adjutant General's Department of the State of Texas."

Mr. Cox of Navarro moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

## Yeas—51.

Acker.	Hall.
Alexander	Harper.
of Limestone.	Hoskins.
Avis.	Jacks.
Baker of Orange.	Justice.
Baker of Panola.	Kemble.
Bartlett.	Kittrell.
Blount.	Lane of Harrison.
Boggs.	Low.
Bryant.	McBride.
Carter.	Merritt.
Chitwood.	Nicholson.
Coffey.	Parish.
Conway.	Perdue.
Coody.	Rogers.
Cox of Lamar.	Rowell.
Cox of Navarro.	Shearer.
Daniels.	Simmons.
DeBerry.	Smyth.
Dinkle.	Stevenson.
Downs.	Strong.
Dunlap.	Wallace.
Dunn of Hopkins.	Wells.
Finlay.	Williamson.
Graves.	Wilson.
Hagaman.	Woodruff.

## Nays—51.

Albritton.	Lane of Hamilton.
Alexander	Maxwell.
of Bastrop.	McDougald.
Amsler.	McFarlane.
Atkinson.	McGill.
Barker.	McKean.
Bateman.	Pavlica.
Bean.	Pearce.
Bedford.	Poage.
Cade.	Pool.
Cummings.	Pope.
Dale.	Powell.
Davis of Wood.	Raymer.
Donnell.	Renfro.
Durham.	Rice.
Enderby.	Robinson.
Fields.	Rowland.
Florence.	Sparks.
Foster.	Stautzenberger.
Gray.	Stell.
High.	Stout.
Hollowell.	Tomme.
Jasper.	Veatch.
Johnson.	Webb.
King.	Westbrook.
Kinnear.	Wester.

## Present—Not Voting.

McDonald.	Walker.
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## Absent.

Barron.	Bird.
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Bobbitt.	Masterson.
Bonham.	McNatt.
Brown.	Montgomery.
Covey.	Moore.
Davis of Dallas.	Petsch.
Dielmann.	Purl.
Dunn of Falls.	Rawlins.
Farrar.	Runge.
Faulk.	Sanford.
Frnka.	Sheats.
Harman.	Simpson.
Houston.	Sinks.
Hull.	Smith of Nueces.
Irwin.	Smith of Travis.
Jones.	Stevens.
Jordan.	Storey.
Kayton.	Taylor.
Kenyon.	Teer.
Laird.	Thompson.
Lipscomb.	Wade.
Loftin.	Young.
Mankin.	

Question then recurring on the amendment to the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

## Yeas—46.

Albritton.	Maxwell.
Alexander	McDougald.
of Bastrop.	McFarlane.
Amsler.	McKean.
Atkinson.	Pavlica.
Barker.	Pearce.
Bean.	Poage.
Bedford.	Pool.
Cade.	Pope.
Cummings.	Powell.
Dale.	Raymer.
Davis of Wood.	Renfro.
Donnell.	Rice.
Durham.	Robinson.
Fields.	Smith of Travis.
Finlay.	Sparks.
Florence.	Stautzenberger.
Foster.	Stout.
Gray.	Tomme.
High.	Veatch.
Hollowell.	Webb.
Jasper.	Westbrook.
Johnson.	Wester.
Lane of Hamilton.	

## Nays—58.

Acker.	Carter.
Alexander	Chitwood.
of Limestone.	Coffey.
Avis.	Conway.
Baker of Orange.	Coody.
Baker of Panola.	Cox of Lamar.
Bartlett.	Cox of Navarro.
Bateman.	Daniels.
Blount.	DeBerry.
Boggs.	Dielmann.
Bryant.	Dinkle.

Downs.	McBride.
Dunlap.	McGill.
Dunn of Falls.	Nicholson.
Dunn of Hopkins.	Parish.
Enderby.	Perdue.
Graves.	Rogers.
Hagaman.	Rowell.
Hall.	Rowland.
Harper.	Shearer.
Hoskins.	Simmons.
Jacks.	Stell.
Justice.	Stevenson.
Kemble.	Strong.
King.	Wallace.
Kinnear.	Wells.
Kittrell.	Williamson.
Laird.	Wilson.
Lane of Harrison.	Woodruff.
Low.	

Present—Not Voting.

McDonald.	Walker.
Merritt.	

Absent.

Barron.	Masterson.
Bird.	McNatt.
Bobbitt.	Montgomery.
Bonham.	Moore.
Brown.	Petsch.
Covey.	Purl.
Davis of Dallas.	Rawlins.
Farrar.	Runge.
Faulk.	Sanford.
Frnka.	Sheats.
Harman.	Simpson.
Houston.	Sinks.
Hull.	Smith of Nueces.
Irwin.	Smyth.
Jones.	Stevens.
Jordan.	Storey.
Kayton.	Taylor.
Kenyon.	Teer.
Lipscomb.	Thompson.
Loftin.	Wade.
Mankin.	Young.

Mr. Barker moved the previous question on the pending amendment by Mr. Farrar, and the main question was ordered.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—42.

Albritton.	Bird.
Alexander	Carter.
of Bastrop.	Coffey.
Alexander	Covey.
of Limestone.	Cummings.
Baker of Panola.	Dale.
Barker.	Davis of Wood.
Bateman.	DeBerry.
Bean.	Durham.
Bedford.	Enderby.

Frnka.	Perdue.
Harper.	Pope.
Hollowell.	Raymer.
King.	Rice.
Kittrell.	Simmons.
Laird.	Sparks.
Lane of Hamilton.	Stautzenberger.
Mankin.	Stout.
Maxwell.	Tomme.
McFarlane.	Webb.
Pavlica.	Westbrook.
Pearce.	Wester.

Nays—70.

Acker.	Lane of Harrison.
Amsler.	Lipscomb.
Atkinson.	Loftin.
Avis.	Low.
Baker of Orange.	McBride.
Bartlett.	McDonald.
Blount.	McDougald.
Boggs.	McGill.
Bryant.	McKean.
Cade.	Merritt.
Chitwood.	Moore.
Conway.	Nicholson.
Coody.	Parish.
Cox of Lamar.	Poage.
Cox of Navarro.	Pool.
Daniels.	Purl.
Davis of Dallas.	Renfro.
Dielmann.	Robinson.
Dinkle.	Rogers.
Downs.	Rowell.
Dunn of Falls.	Rowland.
Dunn of Hopkins.	Shearer.
Fields.	Smith of Nueces.
Finlay.	Smith of Travis.
Florence.	Smyth.
Foster.	Stell.
Graves.	Stevenson.
Gray.	Strong.
Hagaman.	Teer.
Hall.	Veatch.
Hoskins.	Wallace.
Jacks.	Wells.
Jasper.	Williamson.
Justice.	Wilson.
Kemble.	Woodruff.

Absent.

Barron.	Jordan.
Bobbitt.	Kayton.
Bonham.	Kenyon.
Brown.	Kinnear.
Donnell.	Masterson.
Dunlap.	McNatt.
Farrar.	Montgomery.
Faulk.	Petsch.
Harman.	Powell.
High.	Rawlins.
Houston.	Runge.
Hull.	Sanford.
Irwin.	Sheats.
Johnson.	Simpson.
Jones.	Sinks.

Stevens. Wade.  
Storey. Walker.  
Taylor. Young.  
Thompson.

Mr. Blount offered the following amendments to the section of the bill relating to the Ranger force:

(1)

Amend House bill No. 458, line 29, page 40 of the printed bill, by striking out the word "seventy-five" and insert in lieu thereof the word "fifty."

(2)

Amend House bill No. 458, line 31, page 40 of the printed bill, by striking out the figures "\$64,000" for the year ending August 31, 1926, and "\$65,000" for the year ending August 31, 1927, and insert in lieu thereof the figures "\$49,000" for each year.

(3)

Amend House bill No. 458, line 9, page 41 of the printed bill, by striking out the figures "\$6000" for the year ending August 31, 1926, and "\$6000" for the year ending August 31, 1927, and insert in lieu thereof the figures "\$4000" for each year.

(4)

Amend House bill No. 458, line 8, page 41 of the printed bill, by striking out the figures "\$6000" for the years ending August 31, 1926, and August 31, 1927, respectively, and insert in lieu thereof the figures "\$5000" for each year.

(5)

Amend House bill No. 458, line 11, page 41 of the printed bill, by striking out the figures "\$2500" for each year ending August 31, 1926, and August 31, 1927, respectively, and insert in lieu thereof the figures "\$2000" for each year.

(6)

Amend House bill No. 458, line 12, page 41 of the printed bill, by striking out the figures "\$20,000" for each year ending August 31, 1926, and August 31, 1927, and insert in lieu thereof the figures "\$17,500" for each year.

(7)

Amend House bill No. 458, line 13, page 41 of the printed bill, by striking out the figures "\$1500" for each year ending August 31, 1926, and August 31, 1927, respectively, and insert in lieu thereof the figures "\$4500" for each year.

The amendments were severally adopted.

Mr. Downs offered the following amendment to the section of the bill relating to general provisions applying to all departments:

Amend House bill No. 458 by adding the following on page 42 between lines 39 and 40:

"That it shall be the duty of each and every department of the State government to make a sworn itemized statement to the Board of Control quarterly, beginning October 1, 1925, of the amount, if any, expended by said department, and especially for traveling expenses."

The amendment was adopted.

Mr. McFarlane offered the following amendment to the section of the bill relating to the State Highway Department:

Amend House bill No. 458, page 25, line 16, by striking out figures "\$100,000" and insert in lieu thereof "\$75,000" in each column.

Mr. Bonham offered the following substitute for the amendment:

Amend House bill No. 458, page 25, by striking out all of line 16 and insert in lieu thereof the following:

"Number plates and seals for automobiles shall be manufactured by and purchased from the State penitentiary of the State of Texas, for which there is hereby appropriated the sum of forty thousand dollars (\$40,000) for the year 1926 and ten thousand dollars (\$10,000) for the year 1927, and the State Highway Department is hereby authorized to pay over to the Prison Commission the amount appropriated for the year 1926, or so much thereof as may be necessary, to enable the Prison Commission to purchase the necessary machinery and material for making said plates and seals, as soon as the Prison Commission of the State of Texas may require the same for such purpose."

The substitute amendment was adopted.

Question then recurring on the amendment as substituted, it was adopted.

Mr. Bonham offered the following amendment to the bill:

Amend House bill No. 458 by adding the following after the word "transportation," in line 39, page 42:

"Provided, that no department included in this bill shall use any of the means or funds appropriated to such department, either directly or indirectly, for the purpose of sending out literature, propaganda, letters or bulletins, or any other matter, printed or writ-

ten, that will influence or tend to influence in any way the passage or repeal of any law or appropriation affecting any department included in this bill, and provided further that no stenographer or clerk whose salary is paid from public funds or who is employed in any way in any department included in this bill, shall in any way be used or employed in the preparation of or mailing out of, or in any way handling such literature, propaganda, letters or bulletins, or any other matter printed or written that will influence or tend to influence in any way the passage or repeal of any law or appropriation affecting any department included in this bill, and no such work shall be done or performed in any of the offices or rooms of the Capitol or other State buildings, nor shall any long distance telephone calls or telegrams be paid out of this fund."

Signed—Bonham, Purl, Covey.

The amendment was adopted.

Mr. Atkinson offered the following amendment to the bill:

Amend House bill No. 458, page 40, line 32, by inserting "\$2000" in lieu of "\$3000."

The amendment was lost.

Mr. Veatch offered the following amendment to the bill:

Amend House bill No. 458, page 23, line 17, by striking out "\$8000" in each column, and insert "\$7000" in each column in lieu thereof.

Mr. Donnell offered the following substitute for the amendment:

Amend House bill No. 458, page 23, line 17, by striking out figures "\$8000," both columns, and insert "\$6300."

Mr. Purl moved to table the substitute amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

#### Yeas—61.

Acker.	Dunlap.
Baker of Orange.	Dunn of Falls.
Baker of Panola.	Dunn of Hopkins.
Bartlett.	Finlay.
Bedford.	Frnka.
Bird.	Graves.
Blount.	Gray.
Bryant.	Hall.
Carter.	Hoskins.
Chitwood.	Jacks.
Coffey.	Johnson.
Conway.	Kemble.
Covey.	Kinnear.
Cox of Navarro.	Kittrell.
Dielmann.	Lipscomb.
Downs.	Low.

McDonald.	Shearer.
Loftin.	Simpson.
McDougald.	Smith of Travis.
McKean.	Smyth.
Merritt.	Stevens.
Nicholson.	Stevenson.
Parish.	Stout.
Perdue.	Teer.
Pope.	Veatch.
Purl.	Webb.
Renfro.	Wells.
Rice.	Williamson.
Robinson.	Wilson.
Rowell.	Woodruff.
Rowland.	Young.

#### Nays—47.

Albritton.	Foster.
Alexander	Hagaman.
of Bastrop.	High.
Alexander	Hollowell.
of Limestone.	Justice.
Amsler.	King.
Atkinson.	Laird.
Avis.	Lane of Hamilton.
Barker.	Maxwell.
Bateman.	McBride.
Bean.	McFarlane.
Boggs.	McGill.
Bonham.	Moore.
Coody.	Pavlica.
Cox of Lamar.	Pearce.
Cummings.	Pool.
Dale.	Raymer.
Daniels.	Simmons.
Davis of Dallas.	Smith of Nueces.
Davis of Wood.	Stautzenberger.
Dinkle.	Stell.
Donnell.	Tomme.
Durham.	Walker.
Enderby.	Westbrook.
Fields.	Wester.
Florence.	

#### Present—Not Voting.

Cade.	Sparks.
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#### Absent.

Barron.	Masterson.
Bobbitt.	McNatt.
Brown.	Montgomery.
DeBerry.	Petsch.
Farrar.	Poage.
Faulk.	Powell.
Harman.	Rawlins.
Harper.	Rogers.
Houston.	Runge.
Hull.	Sanford.
Irwin.	Sheats.
Jasper.	Sinks.
Jones.	Storey.
Jordan.	Strong.
Kayton.	Taylor.
Kenyon.	Thompson.
Lane of Harrison.	Wade.
Mankin.	Wallace.

Mr. Purl moved to table the amendment by Mr. Veatch.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

## Yeas—45.

Acker.	Lipscomb.
Alexander	Low.
of Bastrop.	McDougald.
Amsler.	McKean.
Baker of Orange.	Nicholson.
Baker of Panola.	Parish.
Bartlett.	Pope.
Bateman.	Purl.
Bird.	Rice.
Blount.	Rowell.
Carter.	Runge.
Cox of Navarro.	Shearer.
Dielmann.	Simpson.
Dunlap.	Smith of Travis.
Dunn of Falls.	Smyth.
Frnka.	Stautzenberger.
Gray.	Stevens.
Hagaman.	Teer.
Harper.	Wells.
Jacks.	Williamson.
Johnson.	Wilson.
Kinnear.	Woodruff.
Kittrell.	Young.
Lane of Harrison.	

## Nays—66.

Albritton.	Foster.
Alexander	Graves.
of Limestone.	High.
Atkinson.	Hollowell.
Avis.	Hoskins.
Barker.	Justice.
Bean.	Kemble.
Bedford.	King.
Boggs.	Laird.
Bonham.	Lane of Hamilton.
Brown.	Mankin.
Bryant.	Maxwell.
Cade.	McBride.
Chitwood.	McFarlane.
Coffey.	McGill.
Conway.	Merrit.
Coody.	Moore.
Covey.	Pavlica.
Cox of Lamar.	Pearce.
Cummings.	Perdue.
Dale.	Poage.
Daniels.	Pool.
Davis of Dallas.	Renfro.
Davis of Wood.	Robinson.
DeBerry.	Rowland.
Dinkle.	Simmons.
Donnell.	Stell.
Downs.	Stout.
Dunn of Hopkins.	Tomme.
Durham.	Veatch.
Enderby.	Walker.
Fields.	Webb.
Finlay.	Westbrook.
Florence.	Wester.

## Present—Not Voting.

McDonald.

## Absent.

Barron.	Petsch.
Bobbitt.	Powell.
Farrar.	Rawlins.
Faulk.	Raymer.
Hall.	Rogers.
Harman.	Sanford.
Houston.	Sheats.
Hull.	Sinks.
Irwin.	Smith of Nueces.
Jasper.	Sparks.
Jones.	Stevenson.
Jordan.	Storey.
Kayton.	Strong.
Kenyon.	Taylor.
Loftin.	Thompson.
Masterson.	Wade.
McNatt.	Wallace.
Montgomery.	

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—67.

Albritton.	Hollowell.
Atkinson.	Hoskins.
Avis.	Justice.
Baker of Panola.	King.
Barker.	Kinnear.
Bateman.	Kittrell.
Bean.	Laird.
Bedford.	Lane of Hamilton.
Bird.	Mankin.
Boggs.	McBride.
Bonham.	McFarlane.
Brown.	McGill.
Bryant.	Merritt.
Coffey.	Moore.
Coody.	Parish.
Covey.	Pavlica.
Cox of Lamar.	Pearce.
Cummings.	Perdue.
Dale.	Poage.
Daniels.	Pool.
Davis of Wood.	Renfro.
DeBerry.	Robinson.
Dinkle.	Rowell.
Donnell.	Simmons.
Downs.	Smith of Nueces.
Dunn of Hopkins.	Smyth.
Durham.	Stautzenberger.
Enderby.	Stell.
Fields.	Stevens.
Finlay.	Stout.
Florence.	Walker.
Foster.	Webb.
Graves.	Westbrook.
High.	Wester.

## Nays—48.

Acker.	Alexander
Alexander	of Limestone.
of Bastrop.	Amsler.

Baker of Orange.	Maxwell.
Bartlett.	McDonald.
Blount.	McDougald.
Cade.	Nicholson.
Carter.	Pope.
Chitwood.	Purl.
Cox of Navarro.	Raymer.
Dielmann.	Rice.
Dunlap.	Rogers.
Dunn of Falls.	Rowland.
Frnka.	Runge.
Gray.	Shearer.
Hagaman.	Simpson.
Hall.	Smith of Travis.
Harper.	Stevenson.
Jacks.	Storey.
Jasper.	Teer.
Johnson.	Veatch.
Kemble.	Wells.
Lane of Harrison.	Williamson.
Lipscomb.	Woodruff.
Low.	Young.

Absent.

Barron.	McKean.
Bobbitt.	McNatt.
Conway.	Montgomery.
Davis of Dallas.	Powell.
Farrar.	Rawlins.
Faulk.	Sanford.
Harman.	Sheats.
Houston.	Sinks.
Hull.	Sparks.
Irwin.	Strong.
Jones.	Taylor.
Jordan.	Thompson.
Kayton.	Wade.
Kenyon.	Wallace.
Loftin.	Wilson.
Masterson.	

Paired.

Mr. Tomme (present), who would vote "yea," with Mr. Petsch (absent), who would vote "nay."

Mr. Veatch moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—70.

Albritton.	Bird.
Alexander	Boggs.
of Bastrop.	Bonham.
Atkinson.	Brown.
Avis.	Bryant.
Baker of Panola.	Coffey.
Barker.	Covey.
Bateman.	Cox of Lamar.
Bean.	Cummings.
Bedford.	Dale.

Daniels.	McFarlane.
Davis of Wood.	McGill.
DeBerry.	Merritt.
Dinkle.	Moore.
Donnell.	Parish.
Downs.	Pavlica.
Durham.	Pearce.
Enderby.	Perdue.
Fields.	Poage.
Finlay.	Pool.
Florence.	Renfro.
Foster.	Robinson.
Graves.	Rowell.
Hagaman.	Runge.
Harper.	Simmons.
High.	Smith of Nueces.
Hollowell.	Stautzenberger.
Hoskins.	Stell.
Justice.	Stevens.
King.	Storey.
Kinnear.	Stout.
Laird.	Tomme.
Lane of Hamilton.	Veatch.
Mankin.	Walker.
McBride.	Webb.
McDonald.	Wester.

Nays—41.

Acker.	Kittrell.
Alexander	Lane of Harrison.
of Limestone.	Lipscomb.
Amsler.	Low.
Baker of Orange.	Maxwell.
Bartlett.	McDougald.
Cade.	Nicholson.
Carter.	Pope.
Coody.	Purl.
Cox of Navarro.	Raymer.
Dielmann.	Rice.
Dunlap.	Rowland.
Dunn of Falls.	Shearer.
Dunn of Hopkins.	Simpson.
Frnka.	Smith of Travis.
Gray.	Teer.
Hall.	Wells.
Jacks.	Westbrook.
Jasper.	Williamson.
Johnson.	Woodruff.
Kemble.	Young.

Absent.

Barron.	Kenyon.
Blount.	Loftin.
Bobbitt.	Masterson.
Chitwood.	McKean.
Conway.	McNatt.
Davis of Dallas.	Montgomery.
Farrar.	Petsch.
Faulk.	Powell.
Harman.	Rawlins.
Houston.	Rogers.
Hull.	Sanford.
Irwin.	Sheats.
Jones.	Sinks.
Jordan.	Smyth.
Kayton.	Sparks.



Stevenson.  
Strong.  
Taylor.  
Thompson.

Wade.  
Wallace.  
Wilson.

Mr. Fields offered the following amendment to the bill:

Amend House bill No. 458, page 9, line 29, by striking out the figures "\$4500" and insert in lieu thereof the figures "\$3000."

Mr. Purl moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

#### Yeas—50.

Acker.	Lane of Harrison.
Amsler.	Lipscomb.
Baker of Orange.	Loftin.
Bartlett.	Low.
Bird.	McDougald.
Cade.	McGill.
Carter.	Merritt.
Coffey.	Moore.
Cox of Lamar.	Nicholson.
Cox of Navarro.	Pool.
DeBerry.	Pope.
Dunlap.	Raymer.
Dunn of Falls.	Purl.
Durham.	Rogers.
Florence.	Rowell.
Foster.	Rowland.
Gray.	Shearer.
Hagaman.	Simpson.
Harper.	Smith of Travis.
Hollowell.	Stevens.
Jacks.	Teer.
Jasper.	Wells.
Johnson.	Wester.
Kemble.	Williamson.
Kittrell.	Wilson.

#### Nays—69.

Albritton.	Dinkle.
Alexander	Downs.
of Bastrop.	Dunn of Hopkins.
Alexander	Enderby.
of Limestone.	Fields.
Atkinson.	Finlay.
Avis.	Frnka.
Baker of Panola.	Graves.
Barker.	High.
Bean.	Hoskins.
Bedford.	Justice.
Boggs.	King.
Bonham.	Kinnear.
Bryant.	Laird.
Conway.	Lane of Hamilton.
Cody.	Mankin.
Covey.	Maxwell.
Cummings.	McBride.
Dale.	McFarlane.
Daniels.	McKean.
Davis of Wood.	Parish.

Pavlica.	Stautzenberger.
Perdue.	Stell.
Petsch.	Storey.
Poage.	Stout.
Powell.	Tomme.
Renfro.	Veatch.
Rice.	Walker.
Robinson.	Webb.
Runge.	Westbrook.
Simmons.	Young.
Smith of Nueces.	

#### Present—Not Voting.

Bateman.	Woodruff.
Pearce.	

#### Absent.

Barron.	Kenyon.
Blount.	Masterson.
Bobbitt.	McDonald.
Brown.	McNatt.
Chitwood.	Montgomery.
Davis of Dallas.	Rawlins.
Dielmann.	Sanford.
Donnell.	Sheats.
Farrar.	Sinks.
Faulk.	Smyth.
Hall.	Sparks.
Harman.	Stevenson.
Houston.	Strong.
Hull.	Taylor.
Irwin.	Thompson.
Jones.	Wade.
Jordan.	Wallace.
Kayton.	

Mr. Jacks moved the previous question on the amendment and the bill, and the motion was not seconded.

Question—Shall the amendment by Mr. Fields be adopted?

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 235, "An Act creating and incorporating Clauene Independent School District in Hockley county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, term of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and for a board of equalization; providing that the Clauene Independent School District No. 6 shall assume and discharge any and all valid outstanding obligations and indebtedness of Ropes Independent School District No. 1 within the metes and bounds of the said Clauene Independent School

District No. 6 in Hockley county, Texas; validating and continuing in force all taxes heretofore voted and now in force in said Ropes Independent School District No. 1; providing that title to all property now vested in Ropes Independent School District No. 1 within the boundaries of the Clauene Independent School District No. 6 shall, on the passage of this act, vest in Clauene Independent School District as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provision of this act shall not invalidate any remaining portion or provision, and declaring an emergency."

H. B. No. 338, "An Act creating and incorporating the Grandview Independent School District in Dawson county, Texas, out of territory now composing Common School District No. 12 in said county; defining its boundaries; providing for a board of trustees thereof, and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor, and providing that said Grandview Independent School District shall assume all the obligations and indebtedness of said Common School District No. 12; vesting title to property of said Common School District No. 12 in Grandview Independent School District; providing for an assessor and collector of taxes thereof, and providing for a board of equalization of said district; providing for the election and terms of office of trustees thereof, and declaring an emergency."

H. B. No. 283, "An Act creating and incorporating Coble Independent School District, Hockley county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and for a board of equalization; providing that the Coble Independent School District shall assume any and all valid outstanding obligations and indebtedness of Coble Common School District No. 3, in Hockley county, Texas, that is with-

in the territory of the Coble Independent School District that shall herein-after be described; validating and continuing in force all taxes heretofore voted and now in force in Coble Common School District No. 3, providing that title to all property now vested in Coble Common School District No. 3 that shall be within the territory of said Coble Independent School District No. 3 shall vest in Coble Independent School District No. 3 as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing invalidation by the courts of any provision of this act shall not invalidate any remaining portion or provision, and declaring an emergency."

H. B. No. 59, "An Act amending Section 1 of Chapter 167, Act of March 30, 1917, and being Article 342 of Title 13, Chapter 1 of the Revised Statutes of Texas, relating to the appointment of an assistant district attorney in certain districts, his qualifications, bond and oath of office, powers and duties, and his tenure of office."

H. B. No. 51, "An Act creating and incorporating the Wells Independent School District in Lynn county, Texas, out of territory now composing the Wells Common School District No. 25 in Lynn county, Texas; defining the boundaries thereof; providing for a board of trustees therefor and thereof, and defining their powers and authority; authorizing such board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor; providing for an assessor and collector of taxes and a board of equalization for said district; providing for the validation of all outstanding obligations and indebtedness of the said Wells Common School District No. 25, and the assumption of all such obligations and indebtedness by the Wells Independent School District; validating and continuing in force all taxes and bonds that are now in force in said district; providing that the title for all property in said district be divested out of Wells Common School District No. 25 and vested in Wells Independent School District as created by this act; providing for the election and terms of office of the trustees of said district and filling vacancies on said board; providing for a seal for said district; providing that

said trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws and parts of laws in conflict herewith; providing that invalidation by the courts of any portion of this act shall not invalidate any remaining portions, and declaring an emergency."

H. B. No. 47, "An Act amending Articles 7542 and 7569 of Title 126, Chapter 12, Revised Civil Statutes of the State of Texas of 1911, relating to the time property shall be valued for taxation purposes; repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

H. B. No. 150, "An Act creating and incorporating the New Home Independent School District in Lynn county, Texas, out of territory now comprising the New Home Common School District No. 12 in Lynn county, Texas; defining the boundaries thereof; providing for a board of trustees thereof, and defining their powers and authority; authorizing such board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor; providing for an assessor and collector of taxes and board of equalization for said district; providing for the validation of all outstanding obligations and indebtedness of the said New Home Common School District No. 12; especially validating the bond election held in said New Home Common School District No. 12, and all orders in pursuance thereof, said election being held on the fifth day of July, A. D. 1924; making the bonds issued in pursuance of said election valid and binding and indebtedness by the New Home Independent School District; validating and continuing in force all taxes and bonds heretofore issued or ordered issued and voted, and all taxes and bonds that are now in force in said district; providing that the title to all property in said territory be divested out of the New Home Common School District No. 12 and vested in New Home Independent School District as created by this act; providing for the election and terms of office of trustees of said district, and filling vacancies on said board; providing for a seal for said district; providing that said trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws and parts of laws in conflict therewith; providing that invalidation by the courts of any portion of this act shall not invalidate any remaining portions, and declaring an emergency."

## MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 23, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 132, A bill to be entitled "An Act fixing the compensation of the official shorthand reporters in the Thirtieth, Seventy-eighth and Eighty-ninth Judicial Districts of Wichita, Archer and Young counties, Texas, prescribing the method of payment, and declaring an emergency."

S. B. No. 254, A bill to be entitled "An Act to authorize the commissioners court of Wilbarger county, Texas, to contract and agree with the proper authorities of the State of Oklahoma for the construction of a public bridge across Red River at some point on the north line of Wilbarger county, Texas, out of the road and bridge funds of said county to pay not more than twenty-five per cent of the cost of construction and maintenance, and to authorize the issuance of bonds and warrants for said purpose and to provide that said bridge, when constructed, shall be a part of the public highways of the State of Texas, and to authorize the appropriation of funds by the said Highway Commission to aid in the construction and maintenance thereof, and declaring an emergency."

S. B. No. 253, A bill to be entitled "An Act to authorize the commissioners court of Wichita county, Texas, to contract and agree with the proper authorities of the State of Oklahoma for the construction of a public bridge across Red River at some point on the north line of Wichita county, Texas, and to authorize said commissioners court of Wichita county, Texas, out of the road and bridge funds of said county to pay not more than twenty-five per cent of the cost of construction and maintenance, and to authorize the issuance of bonds or warrants for said purpose, and to provide that the said bridge, when constructed, shall be a part of the public highways of the State of Texas, and to authorize the appropriation of funds by the said Highway Commission to aid in the construction and maintenance thereof, and declaring an emergency."

S. B. No. 335, A bill to be entitled

"An Act creating the Asherton Independent School District in Dimmit county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights and powers, privileges, duties and liabilities now conferred and imposed by the general laws of Texas upon independent school districts and the board of trustees thereof; declaring that all taxes or bonds heretofore authorized by Asherton Common School District No. 2 of Dimmit county, Texas, shall remain in full force and effect, and declaring an emergency."

S. B. No. 273, A bill to be entitled "An Act creating the Tavenner Independent School district in Fort Bend county, Texas; defining its boundaries; providing for a board of trustees in said independent district and conferring upon said district and its board of trustees the rights, powers, privileges and duties now conferred and imposed by the general laws of the State upon independent school districts and the board of trustees thereof; providing for the election of trustees; for the raising of revenues; issuing bonds, building and maintaining of school houses, maintaining public free schools; declaring valid the maintenance tax heretofore voted and bonds issued by said district; providing for the collection of the present maintenance tax levy; vesting the title to all moneys and property of Tavenner Common School District No. 29 in the Tavenner Independent School District; providing for the assessment and collection of taxes in said district, and creating an emergency."

S. B. No. 285, A bill to be entitled "An Act to create a more efficient road system for McLennan county, Texas, making county commissioners of said county ex-officio road commissioners and prescribing their duties as such, and providing for their expenses and compensation as road commissioners, and defining the powers and duties of such county commissioners, providing for the working of county convicts on the public roads of said county; providing for officers' fees and rewards and penalties for said convicts, and rewards for the capture of escaped convicts; providing for the employment of a county road superintendent of said county, fixing the salary of said road superintendent, defining his duties as such road superintendent; providing for the employment of road keepers in said county and the

defining of their duties; providing for eminent domain in the opening, widening, laying out, and straightening of public highways, and in securing material for the construction or maintenance of public highways in McLennan county, repealing all laws requiring road or street duty, fixing penalties for the violation of this act, repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 300, A bill to be entitled "An Act creating and establishing the Santa Gertrudis Independent School District in Kleberg county, Texas, defining its boundaries, providing for the election and qualification of trustees thereof, and vesting said district with the rights, powers, duties and privileges of districts incorporated under the general law for free school purposes, and declaring an emergency."

S. B. No. 328, A bill to be entitled "An Act creating the Rosenberg Independent School District in Fort Bend county, Texas; defining its metes and bounds, including the territory of the former Rosenberg Independent School District heretofore created under the general laws of this State, and that certain territory added thereto by special act of the Thirty-fifth Legislature; providing a board of trustees therefor, which shall manage and control the affairs of the district; vesting the district and the board of trustees thereof with rights, powers, duties and privileges of an independent school district incorporated for public free school purposes only; providing that the outstanding bonded indebtedness of the district shall remain in force and effect against the territory which voted same; providing that the board of trustees of the district as created by this act, may, without being petitioned, order an election to determine whether the district as a whole shall assume the outstanding indebtedness; providing that the local maintenance and other tax heretofore voted shall be continued in force and effect until such time as the same may be changed by the qualified voters of the district; validating a certain bond issue and the election authorizing same; authorizing the board of trustees to perform all acts necessary to issue said bonds and providing sufficient tax therefor; providing that if any clause or provision of this act be declared unconstitutional, such action by the court shall not invalidate the remaining provisions thereof, and declaring an emergency."

S. B. No. 317, A bill to be entitled "An Act creating and establishing the Laureles Independent School District in Kleberg county, Texas, defining its boundaries, providing for the election and qualifications of trustees thereof, and vesting said district with the rights, powers, duties and privileges of districts incorporated under the general laws for free school purposes, and declaring an emergency."

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, February 23, 1925.  
Hon. Lee Satterwhite, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 352, A bill to be entitled "An Act for the protection of fish in, and for the regulation of the catching and taking fish in, and for the prohibiting of the sale, barter and purchase of fish taken in the waters which are located in the valley of the Big Wichita River from where the lower or diversion dam on the Big Wichita River is located, which was built by the Wichita County Water Improvement District No. 1, in the northeast corner of Archer county, Texas, and from said dam and above the same up the valley of the said Big Wichita River to the storage dam on the said river built by said Wichita County Water Improvement District No. 1 in Taylor county, Texas, and up the valley of said river from said storage dam as far as the waters by said storage dam are impounded in said river in Baylor county, Texas, or in any waters which are impounded in Archer county, Texas, and in Taylor county, Texas, by said diversion dam, or in any water which is impounded in Baylor county, Texas, by said storage dam, or in any water in Lake Wichita in Wichita county, Texas, or in any water impounded by the dam across Holliday Creek forming said Lake Wichita in Wichita county, Texas, or in any water in the Big Wichita River in Baylor county, Texas, connecting the big reservoir, or Lake Kemp, created by said storage dam, with the diversion reservoir, or diversion lake, formed in Baylor and Archer counties, Texas, by said diversion dam, or in any waters of the irrigation canals connected with Lake Kemp or said diversion dam, or in any

water in laterals leading off from said canals in Baylor county, Texas, Archer county, Texas, Wichita county, Texas, or Wilbarger county, Texas, or in any water in Wichita county, Texas, or in Archer county, Texas, in the lateral, canal or drainage ditch leading from what is known as the South Canal out of said diversion lake from a point in said South Side Canal in Section 116, of Denton county school lands, League No. 4, Wichita county, Texas, to Holliday Creek and thence down Holliday Creek to Lake Wichita in Wichita and Archer counties, Texas; and fixing penalties for the violation of this act, and providing that the Game, Fish and Oyster Commissioner shall appoint not less than three deputies to be stationed on the waters described in this act to enforce the provisions of this act; and making it the duty of the district judges in the judicial district in which the counties of Archer, Baylor, Wilbarger and Wichita are situated to give a special charge upon this law to the grand juries of those counties; and providing that this act shall be cumulative of the general laws of the State of Texas; and providing that the holding unconstitutional or invalid of any provision of this act by any court shall in no way effect the constitutionality and validity of the remainder of the act, and declaring an emergency."

S. B. No. 320, A bill to be entitled "An Act to amend Section 1 of an act passed by the Thirty-fourth Legislature, of Texas and approved March 22, 1915, creating the Ninth Supreme Judicial District of Texas, the same being Chapter 70, of the Acts of the Regular Session of the Thirty-fourth Legislature, and to create the Tenth Supreme Judicial District of Texas as amended by the Thirty-fourth Legislature, so as to take Wood county out of the Fifth Supreme Judicial District of Texas and add Wood county to the Sixth Supreme Judicial District of Texas."

S. B. No. 321, A bill to be entitled "An Act to create and establish the Richmond Independent School District in Fort Bend county, Texas, including therein the territory of the present Richmond Independent District as incorporated under the general laws; providing a board of trustees for the said district, and conferring upon the board of trustees the rights, powers and duties prescribed by general laws for independent school district trustees; validating current contracts, indebtedness and tax levies of the present Richmond Independent District as the valid and subsisting contracts, indebtedness and

taxes of the district as hereby created, and declaring an emergency."

S. B. No. 337, A bill to be entitled "An Act to amend Chapter 155 of the Acts of the Thirty-fourth Legislature, as amended by Chapter 23 of the Acts of Thirty-fifth Legislature, and to amend subdivisions 9, 75 and 80 of Article 30, Title 5 of the Revised Civil Statutes of the State of Texas, and to amend Chapter 104 of the laws passed by the Thirty-eighth Legislature, approved March 31, 1923, and to reorganize the Seventy-fifth Judicial District of Texas and remove therefrom the county of Montgomery, and to reorganize the Ninth Judicial District of Texas and remove therefrom the counties of Hardin and Liberty, and to add thereto the county of Waller, and to remove said county of Walker from the Eightieth Judicial District of the State of Texas, and fixing the time of holding court in said Seventy-fifth, Ninth and Eightieth Judicial Districts, and providing for the continuance in office of the present district judges and district attorneys within certain limits, and validating process, bonds, recognizances and decrees issued and rendered under existing arrangements, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 339, A bill to be entitled "An Act to amend Section 1, Chapter 9, Special Laws of the Thirty-eighth Legislature, Regular Session, being entitled 'An Act creating the Rock Springs Independent School District in Edwards county, Texas; defining the metes and bounds; providing a board of trustees therefor; for raising revenue, issuing bonds; vesting it with the rights, powers and duties of districts incorporated for school purposes only under the general laws of the State of Texas; providing for an election to assume the outstanding bonds of the Rock Springs Common School District and declaring an emergency,' so that the said above recited section shall hereafter read as herein set out; and adding a new section to said act to be known as Section 2a, validating the bonds of said Rock Springs Independent School District, and declaring an emergency."

S. B. No. 344, A bill to be entitled "An Act creating the Franklin Independent School District in Robertson county, Texas; validating all levies of taxes and contracts made in behalf of the existing Franklin Independent School District; continuing in office the board of trustees of said independent district; providing for the maximum rate of taxation; for the issuance of bonds and

the maintenance of the public free schools; repealing all laws in conflict with the provisions of this act, and declaring an emergency."

S. B. No. 260, A bill to be entitled "An Act to amend Section 1, Chapter 12, Special Laws of the Thirty-eighth Legislature, Third Called Session, being entitled 'An Act creating the Imperial Independent School District in Pecos county, Texas; defining its boundaries; providing for a board of trustees; conferring upon said district the rights, powers, privileges and duties now conferred and imposed by the general laws of the State on independent school districts and the board of trustees thereof; providing for the division of the funds and taxes held by and due to Buena Vista Independent School District, and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

#### MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 23, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 361, A bill to be entitled "An Act to permit the catching of sucker, buffalo, carp and shad during the months of July, August and September in the counties of Burnet and Williamson; prescribing a penalty, and declaring an emergency."

S. B. No. 299, A bill to be entitled "An Act creating and establishing the El Sauz Independent School District in Willacy county, Texas, defining its boundaries, providing for the election and qualification of trustees thereof, and vesting said district with the rights, powers, duties and privileges of districts incorporated under the general laws for free school purposes, and declaring an emergency."

S. B. No. 315, A bill to be entitled "An Act authorizing the sale of the Shaw Farm located in Northeast Texas, which is now owned by the State and is a part of the State penitentiary system; providing that the funds realized from such sale shall be placed in the State Treasury, and declaring an emergency."

S. B. No. 204, A bill to be entitled "An Act to amend Chapter 9 of Title 119 of the Revised Civil Statutes of

1911, so as to authorize certain counties to construct or participate in constructing bridges across rivers which constitute in whole or in part a boundary line of Texas, and to issue bonds and vote taxes to provide funds for such construction, and declaring an emergency."

S. C. R. No. 28, Relating to adjournment to visit Corpus Christi, Kingsville and the Rio Grande Valley.

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### RECESS.

On motion of Mr. Blount, the House, at 12:10 o'clock p. m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

#### HOUSE BILL NO. 458 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 458, making certain departmental appropriations, on its passage to engrossment, with amendment by Mr. Fields pending.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—55.

Albritton.	Fields.
Alexander	Frnka.
of Bastrop.	Graves.
Atkinson.	Gray.
Avis.	High.
Baker of Panola.	Hoskins.
Barker.	Jasper.
Bean.	King.
Bedford.	Lane of Hamilton.
Bird.	Mankin.
Boggs.	McBride.
Bonham.	McFarlane.
Bryant.	Merritt.
Coody.	Parish.
Covey.	Pavlica.
Cox of Lamar.	Pearce.
Cummings.	Perdue.
Dale.	Petsch.
Daniels.	Powell.
Davis of Dallas.	Renfro.
Davis of Wood.	Rice.
Donnell.	Robinson.
Downs.	Simmons.
Dunn of Hopkins.	Stautzenberger.
Enderby.	Stell.

Storey.  
Stout.  
Tomme.

Veatch.  
Webb.  
Wester.

Nays—56.

Acker.	Lipscomb.
Amsler.	Low.
Baker of Orange.	Maxwell.
Bartlett.	McDougald.
Bateman.	McGill.
Brown.	McKean.
Cade.	Moore.
Carter.	Nicholson.
Chitwood.	Poage.
Coffey.	Pool.
Conway.	Pope.
Cox of Navarro.	Purl.
DeBerry.	Rogers.
Dinkle.	Rowland.
Dunlap.	Runge.
Dunn of Falls.	Shearer.
Durham.	Simpson.
Florence.	Smith of Nueces.
Foster.	Smith of Travis.
Hagaman.	Smyth.
Harper.	Stevens.
Hollowell.	Teer.
Jacks.	Wallace.
Johnson.	Wells.
Kemble.	Westbrook.
Kinnear.	Williamson.
Kittrell.	Wilson.
Lane of Harrison.	Young.

Present—Not Voting.

Woodruff.

Absent.

Alexander	Laird.
of Limestone.	Loftin.
Barron.	Masterson.
Blount.	McDonald.
Bobbitt.	McNatt.
Dielmann.	Montgomery.
Farrar.	Rawlins.
Faulk.	Raymer.
Finlay.	Rowell.
Hall.	Sanford.
Harman.	Sheats.
Houston.	Sinks.
Hull.	Sparks.
Irwin.	Stevenson.
Jones.	Strong.
Jordan.	Taylor.
Justice.	Thompson.
Kaydon.	Wade.
Kenyon.	Walker.

Mr. DeBerry offered the following amendment to the bill:

Amend House bill No. 458, page 40, line 17, by striking out "\$85,000" in each column and inserting in lieu thereof the figures "\$50,000" in each column.

Mr. Cox of Navarro moved to table the amendment.

Yeas and nays were demanded, and

the motion to table was lost by the following vote:

## Yeas—53.

Acker.	Lane of Harrison.
Atkinson.	Low.
Baker of Orange.	McBride.
Bird.	McDougald.
Blount.	Moore.
Bryant.	Nicholson.
Cade.	Parish.
Chitwood.	Petsch.
Coffey.	Pool.
Conway.	Purl.
Cox of Lamar.	Robinson.
Cox of Navarro.	Rogers.
Daniels.	Rowell.
Davis of Dallas.	Rowland.
Dinkle.	Runge.
Downs.	Shearer.
Dunlap.	Smith of Nueces.
Dunn of Falls.	Smith of Travis.
Dunn of Hopkins.	Smyth.
Graves.	Stell.
Hagaman.	Storey.
Harper.	Teer.
Hoskins.	Wallace.
Jacks.	Wells.
Johnson.	Wester.
Justice.	Williamson.
Kemble.	Wilson.

## Nays—56.

Albritton.	King.
Alexander	Kinnear.
of Bastrop.	Kittrell.
Amsler.	Lane of Hamilton.
Baker of Panola.	Mankin.
Barker.	Maxwell.
Bateman.	McFarlane.
Bean.	McGill.
Bedford.	McKean.
Boggs.	Merritt.
Bonham.	Pavlica.
Brown.	Pearce.
Coody.	Perdue.
Covey.	Poage.
Cummings.	Pope.
Dale.	Powell.
Davis of Wood.	Renfro.
DeBerry.	Rice.
Donnell.	Simmons.
Durham.	Simpson.
Enderby.	Stautzenberger.
Fields.	Stevens.
Finlay.	Stout.
Florence.	Tomme.
Foster.	Veatch.
Frnka.	Walker.
Gray.	Webb.
Hollowell.	Westbrook.
Jasper.	

## Present—Not Voting.

Carter.	Young.
Lipscomb.	

## Absent.

Alexander	Laird.
of Limestone.	Loftin.
Avis.	Masterson.
Barron.	McDonald.
Bartlett.	McNatt.
Bobbitt.	Montgomery.
Dielmann.	Rawlins.
Farrar.	Raymer.
Faulk.	Sanford.
Hall.	Sheats.
Harman.	Sinks.
High.	Sparks.
Houston.	Stevenson.
Hull.	Strong.
Irwin.	Taylor.
Jones.	Thompson.
Jordan.	Wade.
Kayton.	Woodruff.
Kenyon.	

Question recurring on the amendment by Mr. DeBerry, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—60.

Albritton.	King.
Alexander	Kittrell.
of Bastrop.	Laird.
Atkinson.	Lane of Hamilton.
Baker of Panola.	Mankin.
Barker.	Maxwell.
Bateman.	McFarlane.
Bean.	McGill.
Bedford.	McKean.
Bird.	Merritt.
Bonham.	Pavlica.
Cade.	Pearce.
Carter.	Perdue.
Coody.	Poage.
Dale.	Pope.
Davis of Dallas.	Powell.
Davis of Wood.	Raymer.
DeBerry.	Renfro.
Donnell.	Rice.
Durham.	Simmons.
Enderby.	Simpson.
Fields.	Smith of Nueces.
Finlay.	Stautzenberger.
Florence.	Stevens.
Foster.	Stout.
Frnka.	Teer.
Gray.	Tomme.
High.	Veatch.
Hollowell.	Webb.
Jasper.	Westbrook.
Justice.	

## Nays—54.

Acker.	Blount.
Amsler.	Boggs.
Avis.	Brown.
Baker of Orange.	Bryant.
Bartlett.	Chitwood.



Coffey.	McDougald.
Conway.	Moore.
Cox of Lamar.	Nicholson.
Cox of Navarro.	Parish.
Cummings.	Petsch.
Daniels.	Pool.
Dinkle.	Purl.
Downs.	Robinson.
Dunlap.	Rogers.
Dunn of Falls.	Rowell.
Dunn of Hopkins.	Rowland.
Graves.	Runge.
Hagaman.	Shearer.
Hall.	Smyth.
Harper.	Stell.
Hoskins.	Storey.
Jacks.	Wallace.
Johnson.	Wells.
Kemble.	Wester.
Kinnear.	Williamson.
Lane of Harrison.	Wilson.
Low.	Woodruff.
McBride.	

Present—Not Voting.

Young.

Absent.

Alexander	Loftin.
of Limestone.	Masterson.
Barron.	McDonald.
Bobbitt.	McNatt.
Covey.	Montgomery.
Dielmann.	Rawlins.
Farrar.	Sanford.
Faulk.	Sheats.
Harman.	Sinks.
Houston.	Smith of Travis.
Hull.	Sparks.
Irwin.	Stevenson.
Jones.	Strong.
Jordan.	Taylor.
Kayton.	Thompson.
Kenyon.	Wade.
Lipscomb.	Walker.

Mr. Alexander of Bastrop offered the following amendment to the bill:

Amend House bill No. 458, on page 29, line 38, by striking out the \$2500 appropriation for law enforcement.

The amendment was lost.

Mr. Kemble offered the following amendment to the bill:

Amend House bill No. 458, page 12, line 19, by striking out the figures "\$25,000," in the first and second columns, and inserting in lieu thereof, "\$55,000" in both columns.

Signed—Kemble, Webb.

Mr. Stout moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—76.

Acker.	Lane of Hamilton.
Alexander	Lane of Harrison.
of Bastrop.	Lipscomb.
Amsler.	Mankin.
Atkinson.	Maxwell.
Avis.	McBride.
Baker of Panola.	McDonald.
Barker.	McFarlane.
Bartlett.	McKean.
Bateman.	Merritt.
Bean.	Moore.
Bedford.	Parish.
Bird.	Pavlica.
Blount.	Pearce.
Boggs.	Poage.
Chitwood.	Pope.
Coffey.	Powell.
Conway.	Raymer.
Coody.	Renfro.
Cox of Lamar.	Rice.
Cummings.	Robinson.
Dale.	Rowell.
Daniels.	Simmons.
Davis of Dallas.	Simpson.
Davis of Wood.	Smith of Travis.
DeBerry.	Stautzenberger.
Enderby.	Stell.
Fields.	Stevens.
Finlay.	Stevenson.
Graves.	Storey.
Gray.	Stout.
Hagaman.	Tomme.
Harper.	Veatch.
Hollowell.	Walker.
Hoskins.	Wallace.
Jasper.	Wester.
Johnson.	Williamson.
Justice.	Wilson.
King.	Woodruff.
Laird.	Young.

Nays—33.

Albritton.	Kemble.
Alexander	Kinnear.
of Limestone.	Kittrell.
Baker of Orange.	McDougald.
Bonham.	McGill.
Cade.	Nicholson.
Carter.	Perdue.
Cox of Navarro.	Pool.
Dinkle.	Rowland.
Donnell.	Runge.
Dunn of Hopkins.	Shearer.
Durham.	Smyth.
Florence.	Sparks.
Foster.	Webb.
High.	Wells.
Jacks.	Westbrook.

Present—Not Voting.

Teer.

Absent.

Barron.

Bobbitt.

Brown.  
Bryant.  
Covey.  
Dielmann.  
Downs.  
Dunlap.  
Dunn of Falls.  
Farrar.  
Faulk.  
Frnka.  
Hall.  
Harman.  
Houston.  
Hull.  
Irwin.  
Jones.  
Jordan.  
Kayton.

Kenyon.  
Loftin.  
Low.  
Masterson.  
McNatt.  
Montgomery.  
Petsch.  
Purl.  
Rawlins.  
Rogers.  
Sanford.  
Sheats.  
Sinks.  
Smith of Nueces.  
Strong.  
Taylor.  
Thompson.  
Wade.

Alexander  
of Limestone.  
Amsler.  
Atkinson.  
Baker of Orange.  
Baker of Panola.  
Barker.  
Bartlett.  
Bateman.  
Bean.  
Bedford.  
Bird.  
Blount.  
Boggs.  
Bonham.  
Brown.  
Bryant.  
Cade.  
Carter.  
Chitwood.  
Coffey.  
Conway.  
Coody.  
Cox of Lamar.  
Cox of Navarro.  
Cummings.  
Dale.  
Davis of Dallas.  
Davis of Wood.  
DeBerry.  
Dielmann.  
Dinkle.  
Donnell.  
Downs.  
Dunn of Falls.  
Dunn of Hopkins.  
Enderby.  
Fields.  
Florence.  
Foster.  
Frnka.  
Graves.  
Gray.  
Hagaman.  
Hall.  
Harper.  
High.  
Hollowell.  
Hoskins.  
Johnson.  
Justice.  
Kemble.  
Kinnear.

Kittrell.  
Laird.  
Lane of Harrison.  
Lipscomb.  
Loftin.  
Low.  
Mankin.  
McBride.  
McDonald.  
McGill.  
McKean.  
Merritt.  
Moore.  
Nicholson.  
Parish.  
Pavlica.  
Pearce.  
Perdue.  
Petsch.  
Poage.  
Pope.  
Powell.  
Purl.  
Raymer.  
Robinson.  
Rogers.  
Rowell.  
Rowland.  
Runge.  
Shearer.  
Simmons.  
Simpson.  
Smith of Nueces.  
Smith of Travis.  
Smyth.  
Sparks.  
Stautzenberger.  
Stell.  
Stevens.  
Storey.  
Stout.  
Strong.  
Teer.  
Veatch.  
Walker.  
Wallace.  
Webb.  
Wells.  
Westbrook.  
Wester.  
Williamson.  
Wilson.  
Young.

Mr. Cox of Lamar offered the following amendment to the bill:

Amend House bill No. 458, page 12, line 17, by striking out "\$25,000," in each line, and insert in lieu thereof "\$20,000" in each line.

The amendment was lost.

On motion of Mr. Blount, the bill was laid on the table subject to call.

#### SENATE BILL NO. 183 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 183, A bill to be entitled "An Act making appropriations for the support and maintenance of the State government for the two-year period beginning September 1, 1925, and ending August 31, 1927, and for other purposes, and prescribing certain regulations and restrictions in respect thereto, and declaring an emergency."

The bill was read second time.

Mr. Blount offered House bill No. 458, as amended by the House, as an amendment to the bill.

The amendment was adopted.

Senate bill No. 183 was then passed to third reading.

#### SENATE BILL NO. 183 ON THIRD READING.

Mr. Blount moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 183 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Acker.  
Albritton.

Alexander  
of Bastrop.

Nays—7.

Finlay.  
King.  
Lane of Hamilton.  
Maxwell.

McDougald.  
McFarlane.  
Tomme.

Present—Not Voting.

Renfro.

Absent.

Avis.  
Barron.

Bobbitt.  
Covey.

Daniels.  
Dunlap.  
Durham.  
Farrar.  
Faulk.  
Harman.  
Houston.  
Hull.  
Irwin.  
Jacks.  
Jasper.  
Jones.  
Jordan.  
Kayton.  
Kenyon.

Masterson.  
McNatt.  
Montgomery.  
Pool.  
Rawlins.  
Rice.  
Sanford.  
Sheats.  
Sinks.  
Stevenson.  
Taylor.  
Thompson.  
Wade.  
Woodruff.

Sparks.  
Stell.  
Stevens.  
Stevenson.  
Storey.  
Stout.  
Strong.  
Teer.

Veatch.  
Wallace.  
Wells.  
Westbrook.  
Wester.  
Williamson.  
Wilson.  
Young.

## Nays—22.

Albritton.  
Alexander  
of Bastrop.  
Alexander  
of Limestone.  
Cox of Lamar.  
Cummings.  
Finlay.  
Hollowell.  
King.  
Laird.

Lane of Hamilton.  
Maxwell.  
McFarlane.  
Moore.  
Perdue.  
Renfro.  
Rice.  
Stautzenberger.  
Tomme.  
Walker.  
Webb.

## Absent.

Atkinson.  
Barron.  
Bobbitt.  
Dunlap.  
Farrar.  
Faulk.  
Harman.  
High.  
Houston.  
Hull.  
Irwin.  
Jacks.  
Jasper.  
Jones.  
Jordan.  
Kayton.  
Kenyon.

Kinnear.  
Loftin.  
Masterson.  
McNatt.  
Montgomery.  
Pool.  
Rawlins.  
Runge.  
Sanford.  
Sheats.  
Simmons.  
Sinks.  
Taylor.  
Thompson.  
Wade.  
Woodruff.

The Speaker then laid Senate bill No. 183 before the House on its third reading and final passage.

The bill was read third time.

Question recurring on the final passage of the bill, yeas and nays were demanded.

The bill was passed by the following vote:

## Yeas—94.

Acker.	Frnka.
Amsler.	Graves.
Avis.	Gray.
Baker of Orange.	Hagaman.
Baker of Panola.	Hall.
Barker.	Harper.
Bartlett.	Hoskins.
Bateman.	Johnson.
Bean.	Justice.
Bedford.	Kemble.
Bird.	Kittrell.
Blount.	Lane of Harrison.
Boggs.	Lipscomb.
Bonham.	Low.
Brown.	Mankin.
Bryant.	McBride.
Cade.	McDonald.
Carter.	McDougald.
Chitwood.	McGill.
Coffey.	McKean.
Conway.	Merritt.
Coody.	Nicholson.
Covey.	Parish.
Cox of Navarro.	Pavlica.
Dale.	Pearce.
Daniels.	Petsch.
Davis of Dallas.	Poage.
Davis of Wood.	Pope.
DeBerry.	Powell.
Dielmann.	Purl.
Dinkle.	Raymer.
Donnell.	Robinson.
Downs.	Rogers.
Dunn of Falls.	Rowell.
Dunn of Hopkins.	Rowland.
Durham.	Shearer.
Enderby.	Simpson.
Fields.	Smith of Nueces.
Florence.	Smith of Travis.
Foster.	Smyth.

## SENATE BILL NO. 64 ON PASSAGE TO THIRD READING.

The Speaker laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 64, A bill to be entitled "An Act to define, regulate and license real estate brokers, real estate agents and real estate salesmen within the State of Texas; to create a State Board of Examiners to operate in conjunction with the office of the Commissioner of the General Land Office, and providing for the appointment of such examiners and fixing their qualifications, compensation and term of office, and providing certain qualifications of real estate brokers, real estate agents and salesmen before receiving license, and providing for certain license fees to be paid by each applicant for real estate license, and also providing for the giving of bonds for the protection of the public from fraud and misrepresentation by

such real estate brokers, salesmen or agents, and providing for the revoking of license by the State Board of Examiners and stating the grounds for such action, and to provide a penalty for the violation of the provisions hereof; repealing all laws in conflict herewith, and providing that the invalidation by the courts of any section or provision of this act shall not invalidate any other provision hereof."

The bill having heretofore been read second time.

On motion of Mr. Kemble, further consideration of the bill was postponed until 10 o'clock a. m. next Wednesday.

#### HOUSE BILL NO. 87 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 87. A bill to be entitled "An Act regulating and providing for a better election and primary election system in this State; providing for a preferential or first and second choice ballot in primaries; making provision for necessary details of poll tax payments, voting and requirements incidental to suffrage and elections, and declaring an emergency."

The bill was read second time.

On motion of Mr. Bonham, the bill was set as a special order for 10 o'clock a. m. Tuesday.

#### HOUSE BILL NO. 291 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 291. A bill to be entitled "An Act to authorize railroad companies to construct and operate spur or industrial tracks, and to condemn property for right of way therefor, and declaring an emergency."

The bill was read second time.

By unanimous consent, consideration of the bill was postponed until 3 o'clock p. m. Tuesday.

#### REPORT OF PENITENTIARY INVESTIGATING COMMITTEE.

Mr. Chitwood, chairman, submitted the following reports of the Penitentiary Investigating Committee, which were read to the House, as follows:

Austin, Texas, February 23, 1925.

To the Hon. Barry Miller, President of the Senate of Texas, and the Hon. Lee

Satterwhite, Speaker of the House of Representatives.

We, your joint committee appointed by the Senate of Texas and the House of Representatives, respectively, to investigate the penitentiary system of the State and report back to the Legislature, beg leave to report as follows:

We have made the best investigation possible in the short time permitted, and we have been mindful of the duty we owe to both of the honorable bodies of which we are members and the people of Texas. We have conducted our investigations with no object in view but the honor of Texas, and the betterment of our penal system, in both the humane treatment of convicts and the financial improvement of the system.

We have desired neither to punish nor humiliate any individual, yet we have sought to find out and reveal the true state of affairs existing in our penal system, and to place responsibility for the condition existing where it belongs, without fear or favor.

Practically the entire committee visited what is known as the "Walls" at Huntsville, and all of the prison farms, except farm known as the Shaw Farm, located in Bowie county, Texas; and testimony was heard by your committee at the Capitol, as well as at Huntsville and the farms. In this visitation, inspection was made of physical properties of the system and inquiry into methods of prison management. We also interviewed many of the employes and a great number of the convicts. These convicts were visited by your committee while in their barracks, and also many of them while out in the fields at work.

We have permitted every person interested in any matter under investigation to appear and give evidence in his own behalf and to present all witnesses he desired. Our hearings have been open to the press and the public.

The conclusions reached by your committee with reference to the general conditions of the system are very similar to the conclusions that have been reached by every previous investigating committee: that little attention is paid to many provisions of the law governing the penitentiary system; that few educational or reformatory efforts are being made or encouraged by the official prison personnel; that the conditions under which the convicts are imprisoned, that is, upon widely scattered farms and in locations where prison farms have been operating for many years, have conduced to the development of a condition of convict management that has improved

very little; and, in the judgment of your committee, makes almost hopeless any prospect of substantial improvement so long as the convicts are handled under the present system, and particularly so if the isolated farms are continued to be operated and the present personnel of its management is allowed to remain in charge. A single head of the system, versed in criminology, would largely correct this. Pending the establishment of the single head system, we insist that the management devote some whole-hearted energy to the mental and vocational improvement of convicts.

To be more specific, based upon the testimony taken, and which testimony will be attached as soon as same can be transcribed and made an exhibit hereto, your committee makes the following conclusions and recommendations, to-wit:

#### Centralization.

In the opinion of your committee, it is absolutely necessary that the prison system be centralized and concentrated, and that what might be known as the walls or central prison system should be located adjacent to all the farming operations, so that such industrial or manufacturing activities as may be operated (and the operation of as many such activities as can be established is urged as necessary to a modern and efficient prison system) can be operated by convicts who are suitable for that character of work, and that such convicts would not be subjected to the hardships and cruelties to which they are now subjected; and the location of the farms adjacent to such central prison system would enable the easy transfer of prisoners from one line of activity to another, as might be found necessary and suitable to their physical condition and previous training. Such centralization will further make possible an oversight and inspection of all penitentiary activities regularly and frequently, and will not afford those charged with the responsibility of management the excuse they now make as to conditions being beyond their control.

The present system, as managed, makes possible the keeping from the public the actual goings on and happenings in connection with the management of the system, and the treatment of the prisoners and a centralized system, as recommended, would make possible, and your committee strongly recommends that, all prison happenings be made public and that there be no secrecy with reference to irregularities or brutalities

or mismanagement in connection with the same.

We approve the suggestion that the management of the penitentiary system be turned over to a single individual, qualified for the duties, and paid in accordance with his qualifications. To avoid the necessity of a constitutional amendment carrying out this plan, we propose that the present constitutional commissioners be placed on a non-salary basis, or be paid on a per diem basis for the time devoted to their work, and be paid their expense, and required to engage a qualified manager and exercise practically the same supervision over his activities as do the directors over industrial corporations. This change can be made by legislative enactment during the present session if it receives general approval.

#### Financial.

It has been impossible for your committee to make much of an investigation of the financial affairs of the system. It seems that there has been no real audit of the financial transactions of the system in many years. It is recommended that a thorough audit be made, by independent auditors, of all the financial transactions of the system covering the last four years. This is recommended not only because it is good business to have an institution handling as much money as the prison system handles audited at least once a year, but because of the haphazard, lax system of handling the funds and the many charges and much testimony as to irregularity that have come to the attention of the committee.

Of course, your committee knows, as the world knows, that the prison system is being operated at a yearly loss of hundreds of thousands of dollars; an emergency appropriation having already been passed by the Senate prior to the filing of this report of \$500,000 to carry on the operations for the current year, and this, notwithstanding the fact, that the two preceding years have been fine crop years and no overflows have disturbed the productivity of the farms.

Your committee believes that the financial affairs of the system have been grossly mismanaged, and that business-like methods are not employed in connection with the buying of materials and supplies, or the distributing of same to the different units of the system or in the sale of cotton and other products.

#### Reformation of Convicts.

The law requires that the Prison Commissioners shall provide for the convicts

"suitable moral instruction"; also "at each prison farm and camp where convicts are kept or worked schools for instruction of prisoners in the elementary branches of the English language and industrial education, and such other instruction as they may prescribe, and shall provide suitable recreation for the convicts at reasonable hours"; and that they "shall employ such number of competent teachers to instruct the convicts as they may deem necessary." The law further provides "the board shall provide for religious services at prison farms and camps where convicts are kept or worked. They shall employ such chaplains as may be necessary to afford all convicts an opportunity to attend at least two religious services a month, said chaplains to devote their entire time to religious and moral training and education of the prisoners under their care."

Your committee finds that the above provisions of the laws are practically a dead letter, and that the Board of Prison Commissioners has made practically no effort to provide educational or religious instruction. Such educational facilities as are furnished are entirely inadequate and obsolete, and little encouragement is given to the convicts to take advantage of the same, the hours of instruction being after or before long hours of labor and no credit of any kind being given the convicts for the time devoted to same. There are only one or two chaplains in the entire system giving their full time to the work, many of the camps not having had religious services in many months. Few burials even are conducted by the chaplains, and prisoners have been often buried without civilian clothing.

The law provides that "convicts shall have every opportunity and encouragement for moral reform." Your committee finds practically no opportunity or encouragement from the personnel of the prison management for moral reform. Such educational and religious instruction and encouragement to reform as have been given have been brought about almost solely by the activity of the Prison Advisory Board.

#### Classification of Convicts.

The law provides for the classification of convicts according to age and character, as shown by their past records, and according to physical condition. Your committee finds insufficient effort toward such classification—finding prisoners of all ages within the same bar-

racks, the seventeen-year-old first offenders in constant association with the hardened criminals of mature years. Your committee also has found little effort at the segregation of contagious diseases, and very unsatisfactory initial medical examination or subsequent examination during the period of imprisonment.

Your committee believes that there can be no more serious indictment returned against the Board of Prison Commissioners than their failure to classify prisoners, so that the first offenders and young men might not be thrown in daily contact with the older ones and might not be made confirmed criminals by reason of their prison sentence rather than be turned back to society improved.

#### Medical Condition.

It has been demonstrated to your committee, beyond a doubt, that the medical department of the system is by far the most inefficient and weakest department of the entire prison system. On this trip we found many cases at the various farms, indicating gross negligence on the part of the physicians in charge, and we find little effort at the segregation of prisoners afflicted with communicable diseases from the other inmates. With particular reference to the tubercular farm, your committee regrets to report that the tubercular farm is a disgrace to Texas and the officials who have it in charge.

The medical system is on an entirely wrong basis, in that it does not require the full time of all physicians in charge, but permits physicians employed by the system to engage in regular practice, and most all of them have been engaged in this work for the penitentiary and their private practice from fifteen to twenty years, and many of the physicians have other interests than their regular practice, to wit: some of them being engaged in the cattle, farming and drug business. The result is that the prisoners have received indifferent attention and frequently gross neglect at their hands.

#### Cruelty to Prisoners.

The system of employing guards of the type and character now in the system makes impossible humane treatment of prisoners. We find that most of the guards—there being some 350 or 400 in number, now in the system—have been engaged in such capacity from five to twenty years.

The great majority of the guards have become hardened and inhuman in their attitude toward the convicts. These guards have grown up around the prison system, their brothers and their fathers having served as guards before them. Numerous instances have come to the attention of your committee of gross brutality, mistreatment and killing of prisoners; and we find practically no effort to bring about the prosecution of the offenders, and, in many instances, the guards are not even dismissed from the service; and, even when dismissed from the immediate camp where the offense was committed, we find that they are frequently transferred to other camps and are continued in the system.

Your committee would recommend that our statutes be so changed as to give Travis county concurrent jurisdiction to try all offenses committed in connection with the penitentiary system.

#### Discharge of Prison Officials.

Under our system of government, each head of a State department, or State institution, must be held responsible for the success or failure of such department or institution; and it is also true that with the honor of being the head necessarily goes the responsibility of successful and proper administration.

We believe from the evidence adduced in this investigation that J. A. Herring, Chairman of the Board of Prison Commissioners, has been incompetent, negligent and has disregarded and violated the law governing the conduct of the prison system; and that he is largely responsible for the irregularities, evils, inhuman treatment and mismanagement of the penitentiary system.

We, therefore, respectfully request that the Legislature ask for the immediate resignation of J. A. Herring as a member of the Board of Prison Commissioners, and, in the event that he fails or refuses to resign, that the proper proceedings be instituted to remove him from said office.

#### Discharge of Prison Employees.

In view of the evidence introduced before this committee, and our findings thereon, we respectfully request the Legislature to ask the Board of Prison Commissioners, and each of them, to demand the immediate resignation of the hereinafter named employees of the system; and we further request the Board of Prison Commissioners, and each of them, in the event said employees fail

to immediately resign, to discharge said employees. We further request the Legislature to ask the Board of Prison Commissioners to report immediately whether or not it is their intention to comply with the request of the Legislature in discharging the employees hereinafter named:

Dr. L. H. Bush, Chief Physician and Surgeon.

Dr. C. C. Hampil, Assistant Physician.

Dr. Sam P. Beeson, Assistant Physician.

C. J. Davis, Cashier of the Prison System.

N. T. Thornton, Manager, Wynne State Farm.

F. C. Whatley, Manager, Ramsey State Farm.

J. S. Murphy, Manager, Darrington State Farm.

R. E. McAdams, Manager, Ferguson State Farm.

J. P. McAfee, Assistant Manager, Shaw State Farm.

R. E. Rader, Dog Sergeant, Ramsey State Farm.

W. O. Simmons, Dog Sergeant, Wynne State Farm.

Bates Tennis, Guard, Darrington State Farm.

F. E. Hamilton, Guard, Senior State Farm.

T. A. Hamilton, Guard, Senior State Farm.

A. M. Horton, Steward, Clemens State Farm.

Ned South, Guard, Clemens State Farm.

Ben Gayle, Steward, Ferguson State Farm.

B. E. Rollo, Guard, Eastham State Farm.

Aubrey Hines, Guard, Bassett Blakeley State Farm.

Paul Koch, Guard, Eastham State Farm.

S. C. Oliver, Guard, Eastham State Farm.

Leon Hyde, Guard, Eastham State Farm.

#### Recommendations.

In view of the inspection of properties and the system in general, and the testimony heard, the conclusions drawn therefrom by your committee and the findings set out in this report, your committee respectfully recommends as follows:

(1) A centralized prison system.

(2) One man management.

(3) Full time medical officers.

(4) Installation of a business system and an annual audit by independent auditors of the prison financial affairs.

(5) Severe penalties for the failure of the Board of Prison Commissioners to comply with the law as to furnishing of educational, religious and reformatory facilities for all prisoners; and for their failure to classify and segregate them as required by law.

(6) More severe penalties for cruel and inhuman treatment.

(7) The abolishment of the bat.

(8) The giving of concurrent venue to Travis county for the violation of all prison laws.

(9) Legislation providing for:

(a) The indeterminate sentence.

(b) Parole.

(c) Overtime for extra labor.

(d) Overtime for school attendance.

We condemn the present practice of some guard or other official taking away from a convict overtime that he has earned by hard labor because of some supposed infraction of the prison rules.

(10) A continuation and extensive enlargement of the honor farm and honor system; because your committee believes that the inauguration of the honor farm has been the most outstanding step toward the reformation and rehabilitation of the prisoners.

(11) The law should be strictly complied with in regard to the furnishing of educational and religious opportunities, and that same should be considered by the prison management as of more importance than the making of dollars, just as the law as it now exists considers it of more importance.

(12) It is further recommended that the Board of Pardons make a thorough investigation into the condition and record and right to clemency of every convict now in the State penitentiary and that this investigation be continued as new men are sent there.

(13) Your committee further recommends that the law should be changed so as to provide for the payment of at least twenty-five dollars to each convict when he is discharged.

(14) Your committee recommends a change of the law so that when one convicted of an offense has paid the penalty by serving out his sentence with a clear record, automatically his citizenship becomes restored.

(15) We recommend the continuation of the Prison Advisory Board and the making of adequate appropriations for the same.

(16) We recommend the passage of stringent laws with reference to practices of immorality between prison officials and employes and the relatives of convicts.

(17) We further recommend an investigation or a civil service examination of all employes as to their qualifications before employment, especially farm managers, captains, dog sergeants, and guards.

(18) The immediate resignation or discharge of certain prison officials and employes.

(19) We recommend proper legislation to establish a State brand for live stock, making it unlawful for any person to use a similar brand or a brand that can be made from or added to the State brand.

We, your committee, report that the expenses incurred in this investigation will total less than \$2500.

Respectfully submitted,

CHITWOOD, Chairman,  
IRWIN,

On the Part of the House.

MILLER, Vice-Chairman,  
WITT,

On the Part of the Senate.

Austin, Texas, February 23, 1925.

To Hon. Barry Miller, President of the Senate of Texas, and Hon. Lee Satterwhite, Speaker of the House of Representatives.

We, a minority of your joint committee, appointed by the Senate of Texas and the House of Representatives, respectively, to investigate the penitentiary system of the State and report back to the Legislature, beg leave to report the following:

We believe the principal defects in the system result from lack of centralization. No executive head, composed either of a board of three or a single manager, could conduct properly a system scattered from the Arkansas line to the Gulf. We therefore recommend a centralized organization from which it is practical not only to direct farm operations but also to conduct factories for the manufacture of supplies needed by the eleemosynary and other institutions of the State. To carry this out it will be preferable to purchase a tract of land in the center of the State. This would result in economy in administration, not only from reduction in the cost of transporting prisoners, but also in handling supplies. The difficulty is that the State does not have the money in the general fund nor does it have it in sight out of taxation for either purchasing a tract of land for a new location or for making improvements. The State cannot bond itself for these expenditures except through authority from a constitutional



amendment, and it seems futile to hope for that authority. A plan proposed is to sell some or all of the prison farms and proceed with the change of system, but the farms in what is known as the Houston territory are not salable in small tracts until protected by levees, and if sold in big tracts will bring but a small percentage of their value. The situation requires careful thought and it may be found desirable to concentrate the system in what is known as the Houston District, there being about fifty thousand acres therein, deriving the money for a start of the system by selling all the farms north of the Houston District. The plan is further outlined in a bill being prepared by the chairman of the standing Penitentiary Committee of the House, which will be submitted for your consideration in due time.

We approve the suggestion that the management of the penitentiary system be turned over to a single individual qualified for the duties and paid in accordance with his qualifications. To avoid the necessity of a constitutional amendment carrying out this plan, we propose that the present constitutional Commissioners be placed on a non-salary basis, be paid on a per diem basis for the time devoted to their work, be paid their expenses, be required to engage a qualified manager and exercise practically the same supervision over his activities as do the directors over industrial corporations. This change can be made by legislative enactment during the present session if it receives general approval.

The adoption of the two foregoing recommendations would, we believe, lead to an eventual solution of the penitentiary problems. So many irregularities have been found, so many rehearsals of brutality, so much evidence of incompetency, that to relate all would make a record so long that no one would read it. Briefly, however, we think attention should be called to the following: In the medical work nearly all the doctors employed have their private practice as well as prison practice. This is wrong. Even doctors are human and their first thought is for their private practice. Pending the establishment of the centralized system as outlined above, we think full time doctors should be engaged for the service.

The financial system is rotten. A qualified accounting firm should be engaged to set up a new system and at unexpected intervals some accounting firm should be engaged to audit the accounts of the system as is done by all

large corporations. The sales of cotton by the prison management have resulted in scandals and we recommend that the management look into the question of selling through a co-operative marketing association, especially in view of the fact that the co-operative marketing of farm products is now recognized as a desirable economic move.

We do not believe that the prisoners are receiving proper educational or vocational instructions. A single head of the system versed in criminology would correct this. Pending the establishment of the single head system the management should devote some whole-hearted energy to the mental and vocational improvement of convicts.

The lack of religious rites and instruction accorded convicts is deplorable. In this we think both the prison managers and all religious denominations of the State are at fault. Practically no volunteer work is done to advance the spiritual welfare of the unfortunate unfortunates under sentence. Our churches show commendable zeal in nearly all fields where the welfare of humanity can be advanced, and we feel sure that their failure to do so in the direction indicated has been merely an oversight, and that the opportunity will now be quickly embraced.

There should also be voluntary aid to help released prisoners get employment, and the State should pay such men not less than \$25 upon release instead of \$5 as at present.

A better class of guards should be employed. They are now paid \$40 to \$50 per month, which is insufficient to attract good men. They should be given a higher wage. It should be made known throughout the State that good men are required for prison guards. Applicants should make known their qualifications through properly substantiated statements. These statements should be passed upon without regard to the political affiliations of the applicants, and a list of applicants established. From that list appointments should be made when required as is now done where civil service rules are in vogue. The guard is the man in close touch with the prisoner. It is positively necessary to get a better type of manhood in this position.

Necessarily this report is brief and does not include all desirable changes because the Legislature has not the time to make such changes within its regular session. A transcript of the record of testimony taken will be made and be

available for all members of the Legislature or other citizens desiring to study it. We are firmly convinced, however, that if this Legislature will provide for a centralized system and one-man management, Texas will soon have a good prison system. These two steps, as has been pointed out, can be taken at this session.

It is difficult to recommend changes in the officers and employes of the system because so many are lax in their work that if all who are lax were to go there would be mighty few left. We therefore recommend that a transcript of the testimony when made be given to the Governor, and that the Legislature now request the Governor to study such testimony and make such changes in the staff, from the Commissioners down, as she thinks necessary. The Governor appoints the Commissioners; the law provides for the impeachment of Commissioners for malfeasance or nonfeasance, on motion of the Governor, the proceedings to be conducted in court by the Attorney General. It is therefore the orderly method of procedure for the Governor to take action in case of necessity against officers and employes of the system. Any action by the Legislature in this direction is purely voluntary and might not be effective, while action by the Governor would be effective.

We also desire to call to the attention of the Legislature the fact that a transcript of the testimony is not yet available for them to read, and they should hardly be called upon to determine the guilt or innocent of men without a record to examine.

Respectfully submitted,  
STEVENSON,  
KING.

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 79, "An Act amending Article 5693, Chapter 2, Title 87, Revised Civil Statutes of Texas, 1911, as amended by Chapter 123 of the General Laws of Texas passed at the Regular Session of the Thirty-third Legislature, relating to notes secured by certain deeds of trust or mortgages on land, and when the same shall be barred by limitation, and providing that powers of sale under deeds of trust or mortgages shall not be executed after the notes secured

thereby are barred by limitation, and amending Article 5695, Chapter 2, Title 87, Revised Civil Statutes of Texas, 1911, as amended by Chapter 123, General Laws of Texas, passed at the Regular Session of the Thirty-third Legislature and as amended by Chapter 27, General Laws of Texas, passed at the First Called Session of the Thirty-third Legislature, relating to the renewal and extension of liens that are secured by deeds of trust, mortgages, or vendor's liens on real estate, and providing that thereafter said articles shall read as herein, and declaring an emergency."

H. B. No. 317, "An Act creating and incorporating the Fivemile Independent School District in Dawson county, Texas, out of territory now composing Common School District No. 21 in said county; defining its boundaries; providing for a board of trustees thereof, and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor, and providing that said Fivemile Independent School District shall assume all the obligations and indebtedness of said Common School District No. 21; vesting title to property of said Common School District No. 21 in Fivemile Independent School District; providing for an assessor and collector of taxes thereof, and providing for a board of equalization of said district; providing for the election and terms of office of trustees thereof, and declaring an emergency."

H. B. No. 351, "An Act to change the territory included in the Sour Lake Independent School District in Hardin county, Texas, and for other purposes."

#### HOUSE BILL NO. 8 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 8, A bill to be entitled "An Act amending Articles 3, 4, 7, 10, 13, 16, 35, 38, 41, 48, 55, 60, 61, 64 and 65, Chapter 73, of the General Laws of the First Called Session of the Thirty-sixth Legislature; and Articles 39 and 53, as amended by Chapter 139, General Laws of the Regular Session of the Thirty-eighth Legislature, changing certain penalties therein, making necessary changes and regulations; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time.

Mr. Shearer offered the following amendment to the bill:

Amend House bill No. 8, on page 6

of the printed bill, by adding the words "Offate Bayou in Galveston county from its head to its mouth."

The amendment was adopted.

Question then recurring on the final passage of the bill, yeas and nays were demanded.

The bill was passed by the following vote:

Yeas—74.

Acker.	Jasper.
Alexander	Kittrell.
of Bastrop.	Lane of Harrison.
Amaler.	Loftin.
Atkinson.	Low.
Avis.	Mankin.
Baker of Orange.	McGill.
Baker of Panola.	McKean.
Boggs.	Merritt.
Bonham.	Pearce.
Brown.	Perdue.
Cade.	Petsch.
Carter.	Poage.
Chitwood.	Pool.
Coffey.	Pope.
Conway.	Raymer.
Coody.	Renfro.
Covey.	Robinson.
Cox of Lamar.	Rogers.
Cummings.	Rowland.
Dale.	Runge.
Daniels.	Shearer.
Davis of Dallas.	Simmons.
DeBerry.	Simpson.
Dielmann.	Smith of Nueces.
Dinkle.	Sparks.
Dunn of Falls.	Stautzenberger.
Dunn of Hopkins.	Stevens.
Durham.	Storey.
Enderby.	Stout.
Fields.	Strong.
Finlay.	Teer.
Florence.	Veatch.
Foster.	Walker.
Hagaman.	Wells.
Harper.	Westbrook.
Hoskins.	Williamson.
Jacks.	Wilson.

Nays—30.

Albritton.	Lane of Hamilton.
Alexander	Maxwell.
of Limestone.	McBride.
Barker.	McDougald.
Bartlett.	McFarlane.
Bean.	Moore.
Bedford.	Parish.
Bird.	Pavlica.
Bryant.	Smyth.
Davis of Wood.	Stell.
Downs.	Tomme.
Frnka.	Wallace.
Graves.	Wester.
Hollowell.	Woodruff.
Justice.	Young.
Laird.	

Present—Not Voting.

Bateman.	Kemble.
Gray.	Rowell.
High.	
	Absent.
Barron.	Lipscomb.
Blount.	Masterson.
Bobbitt.	McDonald.
Cox of Navarro.	McNatt.
Donnell.	Montgomery.
Dunlap.	Nicholson.
Farrar.	Powell.
Faulk.	Purl.
Hall.	Rawlins.
Harman.	Rice.
Houston.	Sanford.
Hull.	Sheats.
Irwin.	Sinks.
Johnson.	Smith of Travis.
Jones.	Stevenson.
Jordan.	Taylor.
Kayton.	Thompson.
Kenyon.	Wade.
King.	Webb.
Kinnear.	

#### HOUSE BILL NO. 72 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 72, A bill to be entitled "An Act to amend Section 1 of Chapter 82, passed by the Regular Session of the Thirty-second Legislature, amending Section 1 of Chapter 139, passed by the Regular Session of the Thirtieth Legislature, relating to the selection of juries by a jury wheel in counties with cities of certain population, and declaring an emergency."

The bill was read third time.

Mr. Young offered the following amendment to the bill:

Amend House bill No. 72 by striking out in lines 22 to 25 "in all counties of this State having a city or cities containing a population aggregating five thousand (5000) or more people, as shown by the United States census of date next preceding such action."

Mr. Loftin moved the previous question on the pending amendment and the bill, and the motion was not seconded.

Question recurring on the amendment, it was lost.

Question then recurring on the final passage of the bill, yeas and nays were demanded.

House bill No. 72 was then finally passed by the following vote:

Yeas—83.

Acker.	Albritton.
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Alexander	Jacks.
of Bastrop.	Jasper.
Amsler.	Justice.
Atkinson.	Kemble.
Baker of Orange.	Kinnear.
Baker of Panola.	Kittrell.
Bartlett.	Laird.
Bateman.	Lane of Harrison.
Bean.	Loftin.
Bird.	Low.
Bonham.	McBride.
Brown.	McDonald.
Bryant.	McFarlane.
Cade.	McGill.
Chitwood.	McKean.
Coffey.	Moore.
Conway.	Nicholson.
Covey.	Pavlica.
Cox of Navarro.	Perdue.
Cummings.	Petsch.
Dale.	Poage.
Daniels.	Pool.
Davis of Wood.	Pope.
DeBerry.	Purl.
Dielmann.	Rowell.
Dinkle.	Rowland.
Donnell.	Shearer.
Downs.	Simpson.
Dunn of Falls.	Sparks.
Dunn of Hopkins.	Stautzenberger.
Finlay.	Stell.
Florence.	Stevens.
Foster.	Stevenson.
Frnka.	Storey.
Graves.	Stout.
Gray.	Strong.
Hagaman.	Veatch.
Hall.	Wells.
Harper.	Westbrook.
High.	Williamson.
Hollowell.	Young.
Hull.	

Nays—23.

Avis.	McDougald.
Barker.	Merritt.
Bedford.	Parish.
Boggs.	Pearce.
Coody.	Renfro.
Cox of Lamar.	Robinson.
Enderby.	Runge.
Hoskins.	Simmons.
Johnson.	Smith of Nueces.
King.	Tomme.
Lane of Hamilton.	Walker.
Mankin.	

Absent.

Alexander	Faulk.
of Limestone.	Fields.
Barron.	Harman.
Blount.	Houston.
Bobbitt.	Irwin.
Davis of Dallas.	Jones.
Dunlap.	Jordan.
Durham.	Kayton.
Farrar.	Kenyon.

Lipscomb.	Sinks.
Masterson.	Smith of Travis.
Maxwell.	Smyth.
McNatt.	Taylor.
Montgomery.	Teer.
Powell.	Thompson.
Rawlins.	Wade.
Raymer.	Wallace.
Rice.	Webb.
Rogers.	Wester.
Sanford.	Woodruff.
Sheats.	

Paired.

Mr. Wilson (present), who would vote "yea," with Mr. Carter (absent), who would vote "nay."

## REQUEST OF SENATE GRANTED.

Mr. Chitwood called up from the Speaker's table, for consideration at this time, the request of the Senate for a Free Conference Committee on Senate bill No. 183.

The Speaker laid the request of the Senate before the House.

Question—Shall the request be granted?

Mr. Chitwood moved that the request be granted.

The motion prevailed.

## HOUSE BILL NO. 76 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 76, A bill to be entitled "An Act to regulate the taking of certain fur-bearing animals or their pelts for barter or sale, declaring them to be the property of the people of the State; defining trapper, prescribing resident, non-resident and alien trapper's licenses; defining fur dealer; prescribing fur dealer's license; defining resident, non-resident and alien; providing form of trapper's and dealer's licenses, their distribution; providing for certain exemptions; defining tenant; regulating the season; providing for disposition of funds; prescribing penalty for violations; providing for enforcement, and declaring an emergency."

The bill was read third time and was passed.

## HOUSE BILL NO. 100 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 100, A bill to be entitled "An Act for the purpose of promoting the public school interests of rural schools and small towns, of aiding the

people to provide adequate school facilities for the education of their children for the next two fiscal years, ending August 31, 1926, and August 31, 1927, respectively."

The bill was read third time and was passed.

#### HOUSE BILL NO. 246 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 246, A bill to be entitled "An Act to amend Article 2643 of the Revised Civil Statutes of the State of Texas of 1911 as amended by Chapter 37 of the Acts of the Regular Session of the Thirty-eighth Legislature, setting aside all interest and income from the University permanent fund and lands for the purpose of constructing permanent improvements on the campus of the University of Texas or at its branches, declaring void any contract for the expenditure of said funds for any other purpose, by including in the funds that may be used for such construction of permanent improvements all income proceeds of all mineral leases on University lands now in the State Treasury or hereafter received from such leases; and also to amend Section 17, of Chapter 83, of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 58, of the Third Called Session of the Thirty-sixth Legislature, so as to provide that all proceeds heretofore or hereafter paid and collected arising from activities affecting lands belonging to the University of Texas shall be credited to the available fund for such institution, and shall be held by the Board of Regents of such institution in a special building fund, and be expended by it only for the erection of buildings or other permanent improvements upon the University campus, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed.

#### MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 23, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 110, A bill to be entitled "An Act to amend Section 8, Chapter 119, of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-second Legislature of the State of Texas, 1911, and as amended by Chapter 189, of the Regular Session of the Thirty-fifth Legislature, 1917, and as amended by Chapter 27 of the First Called Session of the Thirty-fifth Legislature, 1917, and as amended by Chapter 79 of the Fourth Called Session of the Thirty-fifth Legislature, 1918, and as amended by Chapter 111 of the Regular Session of the Thirty-sixth Legislature, 1919, and as amended by Chapter 47 of the Third Called Session of the Thirty-sixth Legislature, 1920, relating to official shorthand reporters' compensation in certain counties and districts in this State; to provide for deputy shorthand reporters; to provide methods of preparing transcripts of evidence, and repealing all laws and parts of laws in conflict with said section of said chapter herein amended, and declaring an emergency."

S. B. No. 193, A bill to be entitled "An Act defining the authority of the Board of Control in reference to the State Capitol building and the Land Office building situated in the city of Austin, Texas, and declaring an emergency."

S. B. No. 250, A bill to be entitled "An Act creating and establishing Alvin Independent School District, in Brazoria county, Texas; defining and describing it by metes and bounds; providing for the government thereof; providing for it to assume the outstanding school contracts and indebtedness applicable to the territory so included; vesting in it the title to all school property situated in the territory so included; ratifying and continuing in force the school taxes heretofore voted in said territory; validating local school taxes heretofore levied and assessed against the property situated therein; providing for the extension of boundaries, and declaring an emergency."

The Senate refuses to concur in the House amendments to Senate bill No. 183, and requests the House for the appointment of a Free Conference Committee to adjust the differences.

The following are appointed conferees on the part of the Senate: Senators Davis, Fairchild, Witt, Parr and Wirtz.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

## ADJOURNMENT.

On motion of Mr. Loftin, the House at 5:07 o'clock p. m., adjourned until 5:08 o'clock p. m. Monday.

## APPENDIX.

## STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Criminal Jurisprudence—House bills Nos. 466, 507, 425; Senate bill No. 150.

Public Lands and Buildings—Senate bill No. 141.

Conservation and Reclamation—House bill No. 532.

Judicial Districts—Senate bills Nos. 266, 270.

Oil, Gas and Mining—House bill No. 446.

The following committee has today filed unfavorable reports on bills as follows:

Criminal Jurisprudence—House bill No. 407; Senate bill No. 153.

## REPORT OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 21, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 174, A bill to be entitled "An Act to acquit, quit-claim, grant and release unto Laura Weir Scott, her heirs and assigns, all right, title and interest which the State of Texas now has or may hereafter have in and to the tract of 110 acres of land, more or less, part of the J. S. Irvine survey, situated in Hays and Travis counties, Texas, described in the deed dated April 19, 1922, executed by Mrs. Montie B. Botts to the said Laura Weir Scott and of record in book No. 335, pages 363 to 365 of the deed records of Travis county, Texas, which right, title and interest the State of Texas has or may have by virtue of the following provision contained in said deed, to-wit: during the life time of the said Frank D. Scott, the said Laura Weir Scott shall not have any right nor power to sell, mortgage or encumber in any way the land hereby conveyed to her and if she, at any time, undertakes to so do, either directly or indirectly, then imme-

diately and automatically all interest therein in her favor will absolutely terminate and end, and from that date or occurrence forward she will have no further interest in said property of any kind or character, but, in any such event or events, the title thereto will vest in fee simple together and equally in any lawful issue of her body then living and in the absence of any such living issue, same will revert and become the property of the State of Texas."

And find the same correctly engrossed.  
ROWELL, Chairman.

## REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, February 21, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 235, "An Act creating and incorporating Clauene Independent School District in Hockley county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, term of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and for a board of equalization; providing that the Clauene Independent School District No. 6 shall assume and discharge any and all valid outstanding obligations and indebtedness of Ropes Independent School District No. 1 within the metes and bounds of the said Clauene Independent School District No. 6 in Hockley county, Texas; validating and continuing in force all taxes heretofore voted and now in force in said Ropes Independent School District No. 1; providing that title to all property now vested in Ropes Independent School District No. 1 within the boundaries of the Clauene Independent School District No. 6 shall, on the passage of this act, vest in Clauene Independent School District as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provision of this act shall not

invalidate any remaining portion or provision, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,

Austin, Texas, February 20, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 150, "An Act creating and incorporating the New Home Independent School District in Lynn county, Texas, out of territory now comprising the New Home Common School District No. 12 in Lynn county, Texas; defining the boundaries thereof; providing for a board of trustees thereof, and defining their powers and authority; authorizing such board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor; providing for an assessor and collector of taxes and board of equalization for said district; providing for the validation of all outstanding obligations and indebtedness of the said New Home Common School District No. 12; especially validating the bond election held in said New Home Common School District No. 12, and all orders in pursuance thereof, said election being held on the 5th day of July, A. D. 1924; making the bonds issued in pursuance of said election valid and binding and indebtedness by the New Home Independent School District; validating and continuing in force all taxes and bonds heretofore issued or ordered issued and voted, and all taxes and bonds that are now in force in said district; providing that the title to all property in said territory be divested out of the New Home Common School District No. 12 and vested in New Home Independent School District as created by this act; providing for the election and terms of office of trustees of said district, and filling vacancies on said board; providing for a seal for said district; providing that said trustees shall be governed by the general laws in Texas in all matters where this act is silent; repealing all laws and parts of laws in conflict therewith; providing that invalidation by the courts of any portion of this act shall not invalidate any remaining portions, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,

Austin, Texas, February 21, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 283, "An Act creating and incorporating Coble Independent School District in Hockley county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and for a board of equalization; providing that the Coble Independent School District shall assume any and all valid outstanding obligations and indebtedness of Coble Common School District No. 3 in Hockley county, Texas, that is within the territory of the Coble Independent School District that shall hereinafter be described; validating and continuing in force all taxes heretofore voted and now in force in Coble Common School District No. 3; providing that title to all property now vested in Coble Common School District No. 3, that shall be within the territory of said Coble Independent School District No. 3, shall, on passage of this act, shall vest in Coble Independent School District No. 3 as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing invalidation by the courts of any provision of this act shall not invalidate any remaining portion or provision, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,

Austin, Texas, February 21, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 338, "An Act creating and incorporating the Grandview Independent School District, in Dawson county,

Texas, out of territory now composing Common School District No. 12 in said county; defining its boundaries; providing for a board of trustees thereof, and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor, and providing that said Grandview Independent School District shall assume all the obligations and indebtedness of said Common School District No. 12; vesting title to property of said Common School District No. 12 in Grandview Independent School District; providing for an assessor and collector of taxes thereof, and providing for a board of equalization of said district; providing for the election and terms of office of trustees thereof, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,

Austin, Texas, February 21, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 51, "An Act creating and incorporating Wells Independent School District in Lynn county, Texas, out of territory now composing the Wells Common School District No. 25 in Lynn county, Texas; defining the boundaries thereof; providing for a board of trustees therefor and thereof, and defining their powers and authority; authorizing such board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor; providing for an assessor and collector of taxes and a board of equalization for said district; providing for the validation of all outstanding obligations and indebtedness of the said Wells Common School District No. 25, and the assumption of all such obligations and indebtedness by the Wells Independent School District; validating and continuing in force all taxes and bonds that are now in force in said district; providing that the title for all property in said district be divested out of Wells Common School District No. 25 and vested in Wells Independent School District as created by this act; providing for the election and terms of office of the trustees of said district and filling vacancies on said board; providing for a seal for said district; provid-

ing that said trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws and parts of laws in conflict herewith; providing that invalidation by the courts of any portion of this act shall not invalidate any remaining portions, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,

Austin, Texas, February 21, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 47, "An Act amending Articles 7542 and 7569 of Title 126, Chapter 12, Revised Civil Statutes of the State of Texas of 1911, relating to the time property shall be valued for taxation purposes; repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,

Austin, Texas, February 21, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 59, "An Act amending Section 1 of Chapter 167, Act of March 30, 1917, and being Article 342 of Title 13, Chapter 1, of the Revised Statutes of Texas, relating to the appointment of an assistant district attorney in certain districts, his qualifications, bond and oath of office, powers and duties, and his tenure of office."

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

### THIRTY-THIRD DAY.

(Monday, February 23, 1925.)

The House met at 5:08 o'clock p. m., pursuant to adjournment, and was called to order by the Speaker.

The roll was called and the following members were present:

Albritton.	Atkinson.
Alexander	Baker of Orange.
of Limestone.	Baker of Panola.
Amsler.	Barker.